

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

**ORDER**

Criminal File No. 04-496 (MJD/RLE)

(1) WALTER PIWOWAR,

Defendant.

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Richard A. Newberry, Jr., Assistant United States Attorney, Counsel for Plaintiff.

Scott Tilsen, Federal Public Defender, Counsel for Defendant.

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson dated June 13, 2005. Defendant filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review of the record, including the transcripts and exhibits from the February 7, 2005, hearing and the May 3, 2005, hearing. 28 U.S.C. § 636(b)(1); Local Rule 72.1(c). Based on that review the Court adopts the Report and Recommendation dated June 13, 2005.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**

**HEREBY ORDERED** that:

1. The Magistrate Judge's Report and Recommendation dated June 13, 2005, [Docket No. 59] is hereby **ADOPTED**.
2. Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure [Docket No. 40] is **DENIED**.
3. Defendant's Motion to Dismiss the Indictment [Docket No. 46] is **DENIED**.
4. Defendant's Motion for Return of Property [Docket No. 47] is **DENIED AS MOOT**.
5. Defendant's Motion to Suppress Statements, Admissions, and Answers [Docket No. 38] is **DENIED**.

Dated: July 15, 2005

s/ Michael J. Davis  
Judge Michael J. Davis  
United States District Court